UNITED
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S/23910
13 May 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 27 APRIL 1992 FROM THE PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Norway to the United Nations has the honour to communicate to the Secretary-General, with reference to his note (SCPC/1/92(2)) of 3 April 1992, the measures undertaken by the Government of Norway to implement Security Council resolution 748 (1992) of 31 March 1992.

Pursuant to Act No. 4 of 7 June 1968 relating to the implementation of mandatory resolutions by the United Nations Security Council, the Government adopted on 10 April 1992 regulations for the implementation of resolution 748 (1992).

Paragraph 1 of the regulations states, in accordance with paragraph 4 (a) of the resolution, that it is prohibited for any aircraft to take off from, land in or overfly Norwegian territory if the aircraft is destined to land in or has taken off from the territory of the Libyan Arab Jamahiriya. In conformity with paragraph 9 (e) of the resolution, these prohibitions will apply with the exception of flights approved by the relevant Committee under the Security Council on grounds of significant humanitarian need. Applications and notifications to the Committee for the approval of such flights will be forwarded by the Ministry of Foreign Affairs.

Further, paragraph 2 of the regulations states, in accordance with paragraph 4 (b) of the resolution, that it is prohibited for Norwegian nationals and companies or from Norwegian territory to supply any aircraft or aircraft components to the Libyan Arab Jamahiriya, to provide engineering and maintenance servicing of Libyan aircraft or aircraft components, to certify airworthiness for Libyan aircraft, to pay new claims against existing insurance contracts or to provide new direct insurance contracts for Libyan aircraft.

Paragraph 3 of the regulations prohibits the operation of Libyan Arab Airline offices in Norway, in accordance with paragraph 6 (b) of the resolution.

Paragraph 4 (a) of the regulations states, in accordance with paragraph 5 (a) of the resolution, that it is prohibited for Norwegian nationals or companies or from Norwegian territory to provide arms and related material of all types, including the selling or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, to provide any type of equipment, or to supply or grant licences for the manufacture of the aforementioned.

Paragraph 4 (b) of the regulations likewise prohibits the provision of technical advice, assistance or training related to the aforementioned.

The Libyan Arab Jamahiriya maintains its diplomatic relations with Norway through the Libyan Embassy in Copenhagen. Norway has not made efforts to reduce the number or the level of the staff of this Libyan diplomatic mission. However, paragraph 5 of the regulations states that the Norwegian Ministry of Foreign Affairs may adopt all necessary measures to control the stay and movements of Libyan diplomatic or consular representatives on Norwegian territory, as mentioned in paragraph 6 (a) of the resolution.

Act No. 64 of 24 June 1988 relating to the admittance of aliens to the Kingdom (The Aliens Act) already provides for the enforcement of the measures mentioned in paragraph 6 (c) of the resolution. The Government, therefore, did not find it necessary to adopt any new regulations to implement this particular point of the resolution.

Paragraph 6 of the regulations states that all necessary amendments to the present regulations can be implemented by the Ministry of Foreign Affairs, without previous approval by the Government itself.

In conformity with paragraph 3 of the resolution, the regulations entered into force on 15 April 1992.

The Norwegian Government assures the Secretary-General that it is determined to act strictly in accordance with the provisions of the resolution, as well as to cooperate fully with the Committee established pursuant to the resolution in the fulfilment of its tasks, as called for in paragraphs 7 and 10 in the resolution.

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13 May 1992

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NOTE VERBALE DATED 13 MAY 1992 FROM THE PERMANENT MISSION OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of India to the United Nations has the honour to inform the Secretary-General of the following measures taken by the Government of India to implement Security Council resolution 748 (1992):

(a) Administrative action has been taken to prevent any direct air operations between India and the Libyan Arab Jamahiriya.

(b) Administrative action has been taken to effect an embargo on the supply of arms and military equipment to, and technical cooperation in this field with, the Libyan Arab Jamahiriya.

(c) The movement of Libyan diplomats has been restricted to a 60-kilometre limit outside Delhi without prior permission. The Libyan Mission has also been advised to reduce its staff.

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LETTER DATED 13 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith, as annexes to this letter, the texts of editorials published by the North American newspapers The Boston Globe and The New York Times on 18 August 1989 and 20 July 1990 respectively.

The two articles refer to the issue concerning which I wrote to you on 8 May and, previously to that, on 27 April. They reflect the attitude of some sectors of United States opinion with regard to the hypocrisy of the position adopted by the Washington Government, which on the one hand pretends to oppose international terrorism and on the other shelters two notorious terrorists who have been in its service for many years.

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Ricardo ALARCON DE QUESADA
Ambassador
Permanent Representative of Cuba
to the United Nations

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Annex I

[Original: English]

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The Boston Globe

August 18, 1989, Friday, City Edition

SECTION: EDITORIAL PAGE; Pg. 12

A terrorist test for Bush

President Bush is fending off an embarrassing bid by some in Miami's Cuban-American community to prevent the deportation of the godfather of anti-Castro terrorism, Orlando Bosch. The president preempted an inappropriate lobbying effort by Ileana Ros-Lehtinen, a Republican congressional candidate, telling her the deportation is "not a presidential matter."

The June deportation order describes Bosch as "having repeatedly expressed and demonstrated a willingness to cause indiscriminate injury and death."

The 62-year-old Cuban-born political fanatic barely bothers to deny that charge. In a reply to the Immigration and Naturalization Service, he wrote, "Churchill said that wars are, unfortunately, a competition of cruelties. And Thomas Jefferson said the tree of liberty has to be unfailingly watered with the blood of tyrants, heroes and innocents, which are its natural fertilizer."

Bosch is in a class with terrorists such as Abu Nidal. There is overwhelming evidence that he masterminded the 1976 bombing of a Cuban airliner taking off from Barbados that killed 73. He spent 11 years in jail in Venezuela for that atrocity.

Bosch's partner in the airliner bombing was Luis Posada Carriles, freed from jail in Venezuela to become a logistics officer in the support team supplying the CIA-backed contras in San Salvador in 1986. Posada disappeared from view after the Hasenfus supply flight was shot down and the Iran-contra affair began to unravel.

Cuban exiles in Miami are divided about Bosch. Some, especially from the older generation, are fanatic in their support. Others acknowledge that right-wing terrorism is as execrable as any other terrorism, though few state that position openly, lest they become targets.

The Bosch-Posada case showed how the US can sink into an association with terrorism. If Bush allows Bosch's deportation to go forward, he will regain some of the moral authority to criticize terrorism.

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Annex II

[Original: English]

Copyright (c) 1990 The New York Times Company:
The New York Times

July 20, 1990, Friday, Late Edition - Final

SECTION: Section A: Page 26, Column 1: Editorial Desk

The Bosch Case Does Violence to Justice

The release from jail of Orlando Bosch, convicted of terrorist violence and officially deemed a most undesirable alien, is a startling example of political justice. The Justice Department, under no legal compulsion but conspicuous political pressure, has let him out, winning cheers from local politicians - and squandering American credibility on issues of terrorism.

Dr. Bosch, a Cuban pediatrician known more for bombings than medicine, has been a hero in the anti-Castro communities of South Florida. He was imprisoned two decades ago for planting bombs on ships and firing a bazooka at a Polish freighter in Miami's harbor. Later he jumped parole and fled to Latin America, where U.S. authorities say he engaged in numerous anti-Cuban bombings. He returned illegally two years ago and was held for deportation. The Government says that only Cuba is willing to accept him.

There's a growing revulsion about terrorism even among the bitterest Cuban exiles, but Senator Connie Mack, Representative Ileana Ros-Lehtinen and other politicians have lobbied intensely for Dr. Bosch's release. President Bush's son Jeb, a Republican leader in South Florida, joined the political chorus. Their cries were heard. Justice got the prisoner to accept a form of house arrest and agree not to consort with violent people. As soon as he was released, however, Dr. Bosch vowed to conduct himself as he pleased during his daily three hours outside his home.

Justice contends lamely that its hand was forced by a Federal judge who seemed to be pressing for his release. But Judge William Hoeveler, who last November emphatically affirmed the department's power to lock up a deportable alien, had merely inquired whether the Government intended to jail Dr. Bosch indefinitely.

In the name of fighting terrorism, the United States sent the Air Force to bomb Libya and the Army to invade Panama. Yet now the Bush Administration coddles one of the hemisphere's most notorious terrorists. And for what reason? The only one evident is currying favor in South Florida.

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13 May 1992
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LETTER DATED 13 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to write to you on the following matter.

It has come to my notice that on 11 May, at a press briefing with journalists, Mr. Giuliani, the spokesman for the Secretary-General, was asked what was preventing the Security Council from meeting to consider the request which I had had to submit to it on 27 April.

I am surprised by the response of the spokesman, which, according to the Department of Public Information, was as follows: "The letter was discussed in consultations, Mr. Giuliani replied, and the Council had decided to continue consulting on the issue. Its position had been conveyed to the Permanent Representative of Cuba." Subsequently, following a further question on the issue, Mr. Giuliani referred, in a rather esoteric manner, to the fact that he was not authorized "to reveal what happened in closed sessions".

I believe it necessary to clarify certain points.

Two weeks ago, in full conformity with the Charter, I officially requested that the Security Council meet to consider the terrorist activities which are being conducted against Cuba and which are promoted, encouraged or tolerated by the Government of the United States, including the criminal attack against flight CU-455 on 6 October 1976.

The Security Council has not so far met to deal with the subject raised by Cuba. Strictly, the Council has not held any meeting subsequent to 27 April.* It is therefore impossible that the Council should have taken any decision because, in order to decide anything, the first thing it has to do is precisely that - to meet.

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* In fact, the Council met yesterday, for five minutes, on another matter.

My delegation rejects - because it would be completely illegal and would have serious consequences for the Organization and its Members - the idea that the Council could adopt decisions by procedures other than its official meetings. Such meetings are the only ones provided for in the Charter and in the Council's provisional rules of procedure and cannot be replaced by any other type of encounter between its members.

The Security Council is not and cannot be allowed to become a secret society or a private club. Its obligations derive from a mandate entrusted to that organ by the Member States, and it is therefore to them that the Council must answer for the discharge of its responsibilities.

Neither the Permanent Representative of Cuba nor anyone else has been or could have been made aware of any decision adopted by the Council with regard to my letter of 27 April for the simple reason that there is not and cannot have been any decision in that respect.

I reiterate, Mr. President, the request I made to you in my letters of 27 April and 8 May and hope that the Security Council will be convened without further delay.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ricardo ALARCON DE QUESADA
Ambassador
Permanent Representative of Cuba
to the United Nations

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S/23914
14 May 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 MAY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of Kuwait's consistent compliance with and respect for all Security Council resolutions and its full commitment to implement Security Council resolution 748 (1992). In this connection, I wish to state that it has decided to reduce from five to three the number of staff at the Libyan diplomatic mission in Kuwait.

Meanwhile, Kuwait will continue to give its full support to Security Council resolutions and to the efforts of the Secretary-General to bring about security and stability in the world in accordance with the Charter of the United Nations.

(Signed) Mohammad Saad AL SALLAL
Chargé d'affaires a.i.

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